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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,300	01/30/2004	Daniel J. Ciarcia JR.	SECURE.1000	6330
7590		11/18/2005	EXAMINER	
Hayes Soloway PC.		PHAM, TOAN NGOC		
175 Canal Street		ART UNIT		
Manchester, NH 03101		PAPER NUMBER		
		2632		

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/768,300

Applicant(s)

CIARCIA ET AL.

Examiner

Toan N. Pham

Art Unit

2632

Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 and 48-73 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/12/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 33-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Kimmel et al. (US 6,917,288).

Regarding claim 33: Kimmel et al. discloses a monitoring system comprising a map associated with a monitored area, one or more monitoring sensor icons located on the map in a location associated with a monitoring sensor in the monitored area, and one or more event icons located on the map in a location associated with a monitored event in the monitored area (col. 4, lines 25-37; col. 14, lines 9-63; Fig. 1).

Regarding claim 34: Kimmel et al. discloses the displaying of the text description associated with a specific event (col. 5, lines 15-24; col. 11, lines 5-33).

Regarding claim 35: Kimmel et al. discloses a door monitoring icons located on the map in a location associated with a door monitor in the monitored area (col. 5, lines 3-23).

Regarding claim 36: Kimmel et al. discloses a door monitoring icons also displays a text description associated with a door event (col. 5, lines 3-59; col. 11, lines 5-33).

Regarding claim 37: Kimmel et al. discloses a door monitoring icons are displayed after a door is left ajar, a door is opened, or an individual is loitering near a door (col. 5, line 3-col. 6, line 15).

Regarding claim 38: Kimmel et al. discloses one or more overlay regions on the floor plan each surrounding the one or more monitoring sensor icons wherein the one or more overlay regions are associated with areas monitored by the one or more monitoring sensors in the monitored area (col. 10, lines 54-67).

Regarding claim 39: Kimmel et al. discloses the overlay regions change color in response to a status change (col. 5, lines 60-67; col. 14, lines 10-63; col. 15, lines 16-21).

Regarding claim 40: Kimmel et al. discloses monitoring sensor icons change color in response to a maintenance problem (col. 11, lines 34-60).

Regarding claim 41: Kimmel et al. discloses an alert bar that displays information about a status change (col. 5, lines 50-67).

Regarding claim 42: Kimmel et al. discloses a status log that displays information about prior status changes (col. 4, lines 38-65).

Regarding claim 43: Kimmel et al. discloses a tool bar with drop down menus for accessing controls (Fig. 1).

Regarding claim 44: Kimmel et al. discloses an operating buttons (120, 118) for accessing software controls (Fig. 1).

Regarding claim 45: Kimmel et al. discloses the map and event icons always remain visible (Fig. 1).

Regarding claim 46: Kimmel et al. discloses a user can access any task within two mouse clicks (col. 4, lines 58-65; col. 6, lines 46-51).

Regarding claim 47: Kimmel et al. discloses the map is constructed by a user (col. 10, lines 48-67).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Yamaashi et al. (US 6,433,687), Makiyama et al. (US 6,617,970), Vercellotti et al. (US 5,317,309), Suzuki et al. (US 6,907,388), Shore (US 6,225,906), Kimmel et al. (US 6,281,790), Chaco et al. (US 5,455,851) and Hines et al. (US 6,396,413) are cited to show a variety of monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N. Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 15, 2005

TOAN N. PHAM
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Toan N. Pham', with a long horizontal flourish extending to the right.